Docket # P11495   Serial No. 09/964,765

Remarks

With this amendment, Applicant has amended claims 31, 34, 36, 42, 44-45 and

49-51. Applicant respectfully requests allowance of claims 31-53 as amended.

Claim Numbering

The Official Action mailed April 5, 2004 renumbered misnumbered claims 37-54

as claims 36-53. The prior claim listing reflects this renumbering.

35 U.S.C. § 112 Rejections

The Official Action rejected claims 44 and 49 under 35 U.S.C. § 112, second

paragraph, as being indefinite for failing to particularly point out and distinctly claim the

subject matter which the Applicants regards as the invention. Applicants have amended

claims 44 and 49 to more particularly point and distinctly claim the subject matter which

the Applicants regard as the invention. In particular, Applicants have provided proper

antecedent basis for the limitation "the depth interpolator" by amended claim 44 to

depend from claim 43 as suggested by the Official Action. Further, Applicants have

corrected the typo of "ratio" in claim 49 by striking the word "ration" and adding the word

"ratio".

8

Docket # P11495   Serial No. 09/964,765

35 U.S.C. 102 Rejections

The Official Action rejected claims 31-53 under 35 U.S.C. § 102(e) as being anticipated by Lapidous, et al. (US Patent 6,677,945). Applicants have amended claims 31, 34, 36, 42, 44-45 and 49-51. Applicants respectfully request allowance of claims 31-53 as amended.

As is well-established, in order to successfully assert a prima facie case of anticipation, the Official Action must provide a single prior art document that includes every element and limitation of the claim or claims being rejected. Therefore, if even one element or limitation is missing from the cited document, the Official Action has not succeeded in making a prima facie case.

Claims 31-35 and 42-49

Claims 31 and 42, as amended, each require "a register to store a value that identifies a variable format" which is not disclosed by Lapidous. Lapidous describes a decision logic module 1050 that requests the depth storage module 1070 to write either a 16-bit or 24-bit depth value to the depth storage buffer 1085 based upon the results received from the depth value comparator 1030. Accordingly, while the decision logic module 1050 may select between a 16-bit or 24-bit format for a depth value, Lapidous does not disclose storing a value in the decision logic module 1050 to identify the variable format. Further, Lapidous does not disclose storing in a register a value that identifies a variable format. Since Lapidous does not disclose each and every element of Claims 31 and 42, the inventions of claims 31 and 42 are not anticipated by Lapidous. Applicants respectfully request allowance of claims 31 and 42.

9

Docket # P11495   Serial No. 09/964,765

Claims 32-35 depend from claim 31 and claims 43-49 depend from claim 42. Accordingly, claims 32-35 and 43-49 are allowable for at least the reasons stated above. Applicants respectfully request allowance of claims 32-35 and 43-49.

Claims 36-41 and 50-53

Claims 36 and 50, as amended, each require storing a value indicative of a floating point format. As stated above, Lapidous describes a decision logic module 1050 that selects between a 16-bit or 24-bit format for a depth value. However, Lapidous does not disclose storing a value in the decision logic module 1050 to identify floating point format. Further, there does not appear to be any reason for Lapidous to store such a value since the decision logic module 1050 merely selects between two formats based upon comparison results received from the depth value comparator. Lapidous therefore does not disclose each and every element of claims 36 and 50. Applicants' invention of claims 36 and 40 are not anticipated by Lapidous, and Applicants respectfully request allowance of claims 36 and 40.

Claims 37-41 depend from claim 36 and claims 51-53 depend from claim 50. Accordingly, claims 37-41 and 51-53 are allowable for at least the reasons stated above. Applicants respectfully request allowance of claims 37-41 and 51-53.

10

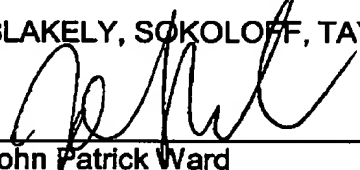Docket # P11495   Serial No. 09/964,765

Conclusion

The foregoing is submitted as a full and complete response to the Official Action.

Applicants submit that the pending claims are in condition for allowance.

Reconsideration is requested, and allowance of the pending claims is earnestly solicited.

Should it be determined that an additional fee is due under 37 C.F.R. §§1.16 or

1.17, or any excess fee has been received, please charge that fee or credit the amount

of overcharge to deposit account #02-2666. If the Examiner believes that there are any

informalities which can be corrected by an Examiner's amendment, a telephone call to

Applicants' representative Jeffrey B. Huter at (480) 554-4198 is respectfully solicited.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

7/6/04

John Patrick Ward
Reg. No. 40,216

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1030
(408) 720-8300

11